

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF ARKANSAS

DAVID A. STEBBINS

VS.

CASE NO. 3:17-cv-03092

STATE OF ARKANSAS, ARKANSAS
REHABILITATION SERVICES, AND AMY JONES

DEFENDANTS

**MOTION FOR LEAVE TO PARTICIPATE IN PRE-TRIAL
CONFERENCE BY TELEPHONE**

Comes now, *pro se* Plaintiff David Stebbins, who hereby submits the following Motion for leave to participate in the final pretrial conference by telephone.

1. Ms. Esterbrook advised me to file this motion at around this time, so we would know exactly what the case entailed. I am now doing that.
2. Also please understand that there are quite a few Motions for Summary Judgment pending. If those motions dispose of this case to the point where any in-person attendance (jury trial or otherwise) is unnecessary, then this motion may be found moot.
3. This Court's Case Management Order (**Doc. 101**) has ordered the parties to appear at the Court at 9:00 a.m. on April 10, 2018 for a final pre-trial conference.
4. I cannot make the trip to Fayetteville. It is too expensive for me. See **Doc. 1** in the above-styled action. I have managed to secure transportation to Fayetteville for the jury trial, but it was a miracle that I was able to do that. It is absolutely, positively, 100% guaranteed that I will not be able to make it to Fayetteville for anything other than the trial.
5. This means that, if you A) plan on denying the motions for summary judgment in whole or in part, rendering a jury trial inevitable, and B) you will not grant me leave to participate in the pre-trial conference by telephone, you may as well sanction me right now for not showing up for the pre-trial conference. Don't even wait for me to no-show, because it won't happen.

FILED

US DISTRICT COURT
WESTERN DISTRICT
OF ARKANSAS

Feb 21, 2018

PLAINTIFF
OFFICE OF THE CLERK

6. This case was originally filed in the Eastern District of Arkansas. That Court did not have a pre-trial conference. See **Doc. 66**. Therefore, this pre-trial conference is not something I could have anticipated when I filed this case. I at least understood that I would need to travel to another city for the trial. That is a typical aspect of civil litigation, generally. But I should not be expected to have foreseen that I would need to travel to another city for anything except the trial. That was something *this court* slapped onto me without warning. It is not a typical aspect of civil litigation, generally.

7. If the Court is annoyed by the fact that I waited until the last minute to request this, please remember the contents of Paragraph #1 of this Motion. I asked your law clerk, Erika Esterbrook, about this as far back as November, shortly after I received the Court's revised case management order. She was the one, not I, who advised me to wait until around this time period to file this motion with the Court. Therefore, my timeliness (or lack thereof) should be excused.

8. I ask that this Court accommodate my indigency by permitting me to participate in the pre-trial conference via telephone, across a three-way call.

So requested on this, the 19th day of February, 2018.

A handwritten signature in black ink, appearing to read "David Stebbins", with a horizontal line underneath it.

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